

ORIGINAL



0000126231

COMMISSIONERS

Gary Pierce – Chairman
Bob Stump
Sandra D. Kennedy
Paul Newman
Brenda Burns

RECEIVED

2011 JUN -8 P 3:57

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

JUN 8 2011

DOCKETED BY

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE APPLICATION
OF TUSAYAN WATER DEVELOPMENT
ASSOCIATION, INC. FOR
ESTABLISHMENT OF RATES FOR
WATER SERVICE.

DOCKET NO. W-02350A-10-0163

IN THE MATTER OF THE APPLICATION
OF ANASAZI WATER CO., LLC FOR
ADJUDICATION “NOT A PUBLIC
SERVICE CORPORATION.”

DOCKET NO. W-20765A-10-0432

IN THE MATTER OF THE APPLICATION
OF HYDRO-RESOURCES, INC. FOR
ADJUDICATION “NOT A PUBLIC
SERVICE CORPORATION.”

DOCKET NO. W-20770A-10-0473

**HYDRO-RESOURCES, INC.’S CERTIFICATION OF MAILING AND
PUBLICATION**

The April 20, 2011 Procedural Order in this matter directed Hydro-Resources, Inc. (“Hydro”), Tusayan Water Development Association, Inc. (“TWDA”), and Anasazi Water Co., LLC (“Anasazi”) jointly to provide notice by mailing and publication of a hearing scheduled in these consolidated matters regarding adjudication of public service corporation status.

IT IS HEREBY CERTIFIED that Hydro, after procuring the current customer list from TWDA, on behalf of Hydro, TWDA and Anasazi, caused notice of the hearing in this matter to be published in the Williams-Grand Canyon News on four consecutive weeks,

1 commencing with the issue dated April 13, 2011 and ending with the issue dated May 4,
2 2011, and that Hydro mailed a copy of the notice to all affected property owners on May
3 18, 2011. The Affidavit of Publication of the notice and tear sheet showing proof of
4 publication is marked as Exhibit A, attached hereto, and by this reference made a part of
5 the original of this Certification.

6 RESPECTFULLY SUBMITTED this 8th day of June, 2011.

7 BRYAN CAVE LLP

8
9 By 

10 Steven A. Hirsch, #006360

11 Rodney W. Ott, #016686

12 Two N. Central Avenue, Suite 2200

13 Phoenix, AZ 85004-4406

14 Attorneys for Hydro-Resources, Inc.

15 **ORIGINAL and 13 COPIES** of the
16 foregoing filed this 8th day of June,
17 2011, with:

18 Docket Control Division
19 Arizona Corporation Commission
20 1200 W. Washington
Phoenix, AZ 85007

21 **COPY** of the foregoing hand-delivered
22 this 8th day of June, 2011, to:

23 Hearing Division
24 Arizona Corporation Commission
25 1200 W. Washington
Phoenix, AZ 85007

1 Steven M. Olea
2 Director, Utilities Division
3 Arizona Corporation Commission
4 1200 W. Washington
5 Phoenix, AZ 85007
6
7 Janice Alward, Esq.
8 Chief Counsel, Legal Division
9 Arizona Corporation Commission
10 1200 W. Washington
11 Phoenix, AZ 85007
12
13 **COPY** of the foregoing mailed this
14 8th day of June, 2011, to:
15
16 Russell A. Kolsrud
17 Ryan J. Lorenz
18 Clark Hill PLC
19 14850 N. Scottsdale Road, Suite 500
20 Scottsdale, AZ 85254
21 Attorneys for Tusayan Water
22 Development Association, Inc.
23
24 Garry D. Hays
25 The Law Offices of Garry D. Hays, P.C.
26 1702 E. Highland Avenue, Suite 204
27 Phoenix, AZ 85016
28 Attorney for Tusayan Ventures LLC
29
30 Paul L. Brinkmann
31 Shorall McGoldrick Brinkmann
32 702 N. Beaver
33 Flagstaff, AZ 86001
34 Attorney for Anasazi Water Co., LLC
35
36 William J. Sims, III
37 Lasota & Peters, PLC
38 722 E. Osborn, Suite 100
39 Phoenix, AZ 85014
40 Attorney for Town of Tusayan
41
42
43
44
45
46
47
48

1 Cynthia Seelhammer
Interim Town Manager
2 Town of Tusayan
P. O. Box 709
3 Tusayan, AZ 86023

4
5 Cathy Tidy
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PUBLIC NOTICE OF HEARING ON THE APPLICATIONS OF
TUSAYAN WATER DEVELOPMENT ASSOCIATION, INC.;
ANASAZI WATER CO., LLC; AND HYDRO-RESOURCES, INC. RE-
GARDING ADJUDICATION OF PUBLIC SERVICE CORPORATION
STATUS.

(Docket No. W-02350A-10-0163 et al.)

Summary

Tusayan Water Development Association, Inc. ("Tusayan") currently holds a Certificate of Convenience and Necessity ("CC&N") issued by the Arizona Corporation Commission ("Commission") to provide water utility service in a service area including areas within the Town of Tusayan ("Town"). Tusayan currently provides its customers water through the water distribution systems of Hydro-Resources, Inc. ("Hydro") and Anasazi Water Co., LLC ("Anasazi") and charges each customer a rate according to which water distribution system serves the customer's property. Tusayan has requested to have the Commission adjudicate its status as a public service corporation subject to Commission regulation. Hydro and Anasazi have each applied to be adjudicated "not a public service corporation" subject to Commission regulation. The three applications for adjudication are being processed as a single consolidated matter due to the interrelatedness of the applicants' operations.

The Commission will determine each applicant's public service corporation status based on the evidence presented through an evidentiary hearing. The Commission is not bound by proposals made by the applicants, by the Commission's Utilities Division ("Staff"), or by any intervenor.

How You Can View or Obtain a Copy of Filings

Copies of the filings in this case are available at the applicants' offices: Anasazi Water Co., LLC, at 620 West Meade, Williams, Arizona 86046; Tusayan Water Development Association, Inc., at 406 Canyon Plaza Lane, Tusayan, Arizona 86023; or Hydro-Resources, Inc., at 549 Camper Village Lane, Tusayan, Arizona 86023 and at the Commission's Docket control center at 1200 West Washington, Phoenix, Arizona, for public inspection during regular business hours, and on the Internet via the Commission's website (www.azcc.gov) using the e-Docket function.

Commission Public Hearing Information

The Commission will hold a hearing in this matter beginning September 9, 2011, at 9:00 a.m., at the Commission's offices, Hearing Room #1, 1200 West Washington Street, Phoenix, Arizona. Public comments will be taken on the first day of the hearing. Written public comments may be submitted by e-mail or by mailing a letter to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007 and must include a reference to Docket No. W-02350A-10-0163 et al. A form and instructions for e-mailing comments are available at <http://www.azcc.gov/Divisions/Utilities/consumerservices.asp>. If you require assistance, you may contact the Consumer Services Section at 1-800-222-7000 or 602-542-4251.

About Intervention

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you desire to intervene, you must file a written motion to intervene with the Commission no later than June 9, 2011. You must send a copy of the motion to intervene to each applicant or its counsel and to all parties of record. Your motion to intervene must contain the following:

Your name, address, and telephone number and the name, address, and telephone number of any person upon whom service of documents is to be made, if not yourself;

A short statement of your interest in the proceeding (e.g., a customer of Tusayan, etc.); and

A statement certifying that you have mailed a copy of the motion to intervene to each applicant or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before June 9, 2011. If representation by counsel is required by Arizona Supreme Court Rule 31, intervention will be conditioned upon the intervenor's obtaining counsel to represent the intervenor. For information about requesting intervention, visit the Commission's website at <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>. The granting of intervention, among other things, entitles a party to present sworn evidence at the hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the application or from filing written comments in the record of the case.

ADA/Equal Access Information

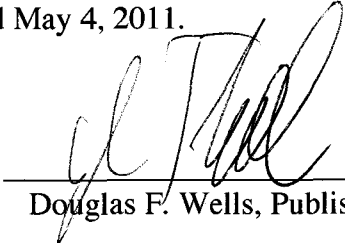
The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator, Shaylin Bernal, at sabernal@azcc.gov, voice phone number (602) 542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

5/18/2011

mmm

Affidavit of Publication

I, Douglas F. Wells, Publisher of the WILLIAMS-GRAND CANYON NEWS, a newspaper of general circulation published at Williams, Coconino County, Arizona, do solemnly swear that a copy of this notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in any supplement thereof, four (4) consecutive weeks, commencing with issue dated April 13, 2011 and ending with issue dated May 4, 2011.


Douglas F. Wells, Publisher

Subscribed and sworn to before me this 4th day of May 2011.


Carol J. DeLander, Notary Public

My commission expires September 22, 2014.

